

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL DOCKET NO.: 5:03CR4**

UNITED STATES OF AMERICA)	
)	
vs.)	
)	
RODERICK WILLIAMS (8),)	ORDER
)	
Defendant.)	
<hr/>)	

THIS MATTER is before the Court on Defendant's Motion for Discovery [Document # 614], six (6) Motions for New Trial [Documents ## 615, 616, 617, 618, 619, 621], and Defendant's Affidavit in Support of Motion for New Trial [Document # 620], all filed November 28, 2005.

Defendant's Motions for New Trial do not provide any new allegations than those made by Defendant in his previous *pro se* Motions, which the Court denied in Orders filed October 18, 2005 and November 22, 2005. Consequently, for the reasons stated in the Court's October 18, 2005 Order and November 22, 2005 Order, Defendant's Motions for New Trial are denied.

With regard to Defendant's Motion for Discovery, on April 22, 2003, United States Magistrate Judge Carl Horn entered a Standard Discovery Order, which required disclosure of specific information to defense counsel. As stated in this Order, unless notified by the Government, the Court presumed that the Government would adhere to its Open-File Policy. The Government did not object to this Order. Consequently, the Open-File Policy governed these proceedings and all information permitted to be disclosed by the Order was given by the Government to Defendant's attorney. Consequently, any information properly disclosed during discovery would be in the possession of Defendant's attorney. Therefore, Defendant's recourse

to receive the information that he requests in this Motion would be to contact his stand-by counsel and request the information, presuming that Defendant has not already been provided with all such information. Thus, Defendant's Motion for Discovery is denied.

Moreover, despite previous warnings by the Court, Defendant is again advised that repetitive filing of the same meritless allegations are not permitted in this Court. Therefore, **Defendant is sternly warned that he is not to file any further *pro se* Motions that address the same arguments and allegations that he has previously made to this Court.**¹

IT IS, THEREFORE, ORDERED that Defendant's Motion for Discovery [Document # 614], and six (6) Motions for New Trial [Documents ## 615, 616, 617, 618, 619, 621], are all hereby **DENIED**.

¹As this Court previously stated in its October 18, 2005 Order, the majority of Defendant's Motions relate to evidentiary issues, which are not properly before this Court and must be raised by Defendant on appeal *after* sentencing.

Signed: December 13, 2005

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the text.

Richard L. Voorhees
United States District Judge



